

of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 8, 2008, at 9:35 a.m.:

That the Senate passed without amendment H.R. 3891.

That the Senate passed S. Res. 608.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,  
*Clerk of the House.*

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed:

by Speaker pro tempore HOYER on Friday, June 27, 2008:

H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes

H.R. 5690, to remove the African National Congress from treatment as a terrorist organization for certain acts or events, provide relief for certain members of the African National Congress regarding admissibility, and for other purposes.

#### NONPROLIFERATION PROGRESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last week was an extraordinary week of success for America in promoting nuclear nonproliferation.

On Friday, the North Koreans destroyed the cooling tower at their Yongbyon nuclear complex. This, plus other recent concessions by that regime, will lead to additional aid for the people of that impoverished nation.

In India, the U.S.-India civilian nuclear agreement appears to be closer to approval. This is an important step to bring clean nuclear energy to the citizens of fast-growing India.

In Iraq, there was the removal of the last remnants of Saddam Hussein's nuclear program when 550 metric tons of yellowcake, the seed material for higher-grade nuclear enrichment, was shipped to Canada.

However, the threat of Iran continues to grow. The Iranian Government has confirmed it will not comply with the U.N. Security Council resolutions requiring it to stop enriching uranium.

It is encouraging to see the people of North Korea, India and Iraq benefit from moral cooperation, but it is sad to see the misguided government of Iran further isolate its civilian population and put them at risk.

In conclusion, God bless our troops, and we will never forget September the 11th.

#### REPUBLICANS WORK ON MEANINGFUL SOLUTIONS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, while the Democrat Congress sits on its hands, House Republicans are answering the challenge of \$4 gas, taking our meaningful solutions to produce American-made energy, lower gas prices and promote energy independence directly to the American people.

When the French people were starving, the Queen said, "Let them eat cake." Speaker PELOSI's office says, "Right now our strategy on gas prices is drive small cars and wait for the wind."

The American people can't wait for the Democrats to decide what to do. They want answers now, and Republicans stand ready with solutions. The Republican plan will increase production of American-made energy in an environmentally safe way. It will promote new, clean, and reliable sources of energy while cutting red tape and increasing the supply of American-made fuel and energy. The House Republican plan also encourages greater energy efficiency by offering conservative tax credits to Americans who make their home, car and business more energy efficient.

So while Democrats continue to sit on the sidelines, House Republicans will continue to fight for meaningful solutions to lower gas prices and promote energy independence.

#### CONSERVATION TAX INCENTIVES

(Mr. WITTMAN of Virginia asked and was given permission to address the House for 1 minute.)

Mr. WITTMAN of Virginia. Mr. Speaker, I rise today to discuss one of the most pressing issues facing our country today, and that is high gas prices. Soaring energy and gas prices are burdening American families and American businesses. We can encourage greater energy efficiency and offer some relief to families and businesses by offering conservation tax incentives. And we should make home energy efficiency upgrades tax deductible.

At a time when families are choosing between buying gas and buying food, we should make it easier for American families. Congress should provide incentives for home builders and homeowners to make their homes more energy efficient. Having more energy efficient homes will help families by leaving them with more money in their wallet to pay their bills. This is also good for the environment, and also reduces our dependence on foreign oil.

In addition to helping families, we should also offer investment expensing for industrial and commercial building efficiency upgrades. Helping businesses afford to be more energy efficient will help businesses afford to keep their workers employed.

Families cannot afford to wait any longer for relief at the pump. We need to start today to encourage greater energy efficiency by offering these tax incentives by helping families and busi-

nesses to save money and reduce their dependence on foreign oil.

#### START THE DRILL

(Mr. BROUN of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROUN of Georgia. Mr. Speaker, right now America is drilling for ice on Mars; yet we cannot drill for oil in America. It's insane.

Coach Mark Richt of Georgia Bulldog football fame has three words, a phrase he uses to energize his football team: Finish the drill.

I have three words as a Congressman from Georgia and Representative of this body to energize America: Start the drill. Now.

#### DEMOCRAT MAJORITY COSTING AMERICAN PEOPLE

(Mr. WESTMORELAND asked and was given permission to address the House for 1 minute.)

Mr. WESTMORELAND. Mr. Speaker, I come to you today to help with some statistics that I thought you might be interested in. The fact is that we have a new majority. We have had a new majority now for about 18 months or so in this body. I wanted to give you some statistics about what has happened since the new majority has taken over.

A gallon of gas has gone from \$2.35 to \$4.11, an increase of \$1.76. A loaf of bread has gone from \$1.14 to \$1.37, a 23-cent increase. A gallon of milk has gone from \$3 to \$3.76 a gallon. Dow Jones has gone from 12,463 to 11,812, losing 651 points.

Mr. Speaker, the American people I think were misled with the new majority. But I think business and Wall Street and the price to consumers is now telling the tale of exactly what high taxes and the threat of high taxes and the willingness to be energy dependent is costing the American people.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

#### SHARK CONSERVATION ACT OF 2008

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5741) to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management

Act to improve the conservation of sharks, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5741

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Shark Conservation Act of 2008”.

**SEC. 2. AMENDMENT OF HIGH SEAS DRIFTNET FISHING MORATORIUM PROTECTION ACT.**

Section 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(a)) is amended—

(1) by striking so much as precedes paragraph (1) and inserting the following:

“(a) IDENTIFICATION.—The Secretary shall identify, and list in the report under section 607—

“(1) a nation if—”;

(2) in paragraph (1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(4) by moving subparagraphs (A) through (C) (as so redesignated) 2 ems to the right;

(5) in subparagraph (C) (as so redesignated) by striking the period at the end and inserting “; and”; and

(6) by adding at the end the following:

“(2) a nation if—

“(A) fishing vessels of that nation are engaged, or have been engaged during the preceding calendar year, in fishing activities or practices that target or incidentally catch sharks; and

“(B) the nation has not adopted a regulatory program to provide for the conservation of sharks, including measures to prohibit removal of any of the fins of a shark (including the tail) and discarding the carcass of the shark at sea, that is comparable to that of the United States, taking into account different conditions.”.

**SEC. 3. AMENDMENT OF MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.**

Section 307(1) of Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(1)) is amended—

(1) by amending subparagraph (P) to read as follows:

“(P)(i) to remove any of the fins of a shark (including the tail) at sea;

“(ii) to have custody, control, or possession of any such fin aboard a fishing vessel unless it is naturally attached to the corresponding carcass;

“(iii) to transfer any such fin from one vessel to another vessel at sea, or to receive any such fin in such transfer, without the fin naturally attached to the corresponding carcass; or

“(iv) to land any such fin that is not naturally attached to the corresponding carcass, or to land any shark carcass without such fins naturally attached;”; and

(2) by striking the matter following subparagraph (R) and inserting the following:

“For purposes of subparagraph (P), there shall be a rebuttable presumption that if any shark fin (including the tail) is found aboard a vessel, other than a fishing vessel, without being naturally attached to the corresponding carcass, such fin was transferred in violation of subparagraph (P)(iii) and that if, after landing, the total weight of shark fins (including the tail) landed from any vessel exceeds five percent of the total weight of shark carcasses landed, such fins were taken, held, or landed in violation of subparagraph (P).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

**GENERAL LEAVE**

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

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Ms. BORDALLO. Mr. Speaker, I rise in support of my bill, H.R. 5741, the Shark Conservation Act of 2008.

Sharks are vital to the health of marine ecosystems, but the practice of shark finning is driving their decline worldwide. Eight years ago, Congress passed the Shark Finning Prohibition Act to protect these critical species. H.R. 5741 reconfirms the original intent of Congress to prevent both shark finning and the transshipment and landing of shark fins without carcasses. It also provides an important new enforcement mechanism requiring that sharks be landed with their fins naturally attached.

Reducing shark finning is imperative to conserving sharks and the marine ecosystems of which they are a part. I am grateful that the bill has the strong support of my colleagues from the Western Pacific, namely Congressman ABERCROMBIE from the State of Hawaii and Congressman FALEOMAVAEGA from American Samoa, as well as the ranking member of the Fisheries, Wildlife and Oceans Subcommittee, Mr. BROWN from South Carolina.

I would note that last week, the National Oceanic and Atmospheric Administration raised some concerns with the narrow aspect of the bill as it might relate to shark fishing on the west coast. We are waiting for additional information from the agency and will work with them as the bill proceeds to determine how this concern can be addressed without creating any unintended loopholes in the shark finning ban.

Mr. Speaker, H.R. 5741 is a timely bill, and it's an important bill, and I ask my colleagues to support its passage.

I reserve the balance of my time.

Mr. WITTMAN of Virginia. Mr. Speaker, I rise in support of H.R. 5741, the Shark Conservation Act of 2008.

The United States is a leader in international efforts to manage and conserve shark species, and the United States currently has a shark finning ban in place and guidelines under the Magnuson-Stevens Fishery Conservation and Management Act to rebuild overfished shark populations.

I would like to take a moment to recognize the Virginia Institute of Marine

Science in my district for their leading shark research. As a member of the National Shark Research Consortium, researchers at Virginia Institute of Marine Science have been monitoring shark populations in the mid-Atlantic since 1973. This long-term data set represents the longest running shark monitoring program in the world. This important research has contributed to the body of knowledge about sharks while providing important data for policymakers to better manage and conserve shark species.

H.R. 5741 is necessary because of a mistake in a court ruling opening a loophole in the Shark Finning Prohibition Act of 2000. The ruling allowed fishermen to transfer shark fins at sea to transshipment vessels. This is clearly a violation of that Act, and this bill closes that loophole.

While supporting the bill, some Members do remain concerned that this broad legislation may be viewed as short-circuiting the ability of interested parties to comment on the proposal through the normal Regional Fishery Management Council rule-making process. In addition, this bill may have unintended consequences for at least one State's shark fishery landing law.

While I urge a “yes” vote on H.R. 5741, these concerns require continued attention as this legislation moves forward in the Senate.

Ms. BORDALLO. Mr. Speaker, first I want to thank the gentleman from Virginia for his support of this particular piece of legislation.

I have no additional requests for time and would reserve the balance of my time.

Mr. WITTMAN of Virginia. Mr. Speaker, I yield as much time as he may consume to the gentleman from the State of Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Thank you.

And while I stand to ask the Members to also support this legislation that the gentlelady from Guam has introduced, I think it's interesting, though, that we're here today talking about the carcasses of sharks, Mr. Speaker. We debated the other day on the floor monkey bites, and we have had some quite interesting conversations on the floor about legislation that's important and important to the American people.

But I find that the one subject that we're not talking about on the floor of the House, or at least not being able to debate on the floor of the House and have had any legislation come forward on the floor of the House that we could really debate and get into a debate and talk about statistics and reality is the fact of drilling and becoming more energy independent. That is something, I think, that is concerning most houses and most families right now.

And the fact that, Mr. Speaker, the price of a gallon of gas is \$4.11, \$4.11, that's a sticker shock that we can't seem to get our head around and get

our hands on is that a gallon of gas today is costing \$4.11. And the reason it's costing \$4.11 is because we are still completely dependent on foreign oil.

Now, while I know that there are a lot of people at home sitting around considering what their chances of getting bitten by a monkey might be or their care and real concern about a shark carcass, I think they're more concerned about a gallon of gas, the price of that.

So Mr. Speaker, I would encourage you to encourage the rest of the members of the majority party, those that are in control, to have a good discussion, a good debate on a piece of legislation that would allow drilling on our Outer Continental Shelf in the areas of the West that have shale oil, off the coast of Alaska, and ANWR where we know that there are billions of gallons of gas. And not only that, but we're fixing to be in a natural gas crisis.

Natural gas is about twice what it was, I believe, last year, and if that's the case, people are not going to be able to heat their homes. And so while we think that driving is expensive now with gas at \$4.11 a gallon, imagine having home heating oil or natural gas to heat your house for your family and your bill is going to be twice as high as it was. Well, Mr. Speaker, you won't even be able to drive to a warm place.

And so these are some concerns that we need to be talking about now. Not only are we into the immediate crisis of high prices of gas, but we're in the crisis to come of our home heating oil and natural gas.

So I hope that while we take these things serious about the carcasses of these sharks, chances of getting bit by a monkey, that we would consider our dependence on foreign oil and what we can do to become self-dependent. It's all of the above. It's going to take some conservation, but we cannot conserve our way out of this. It's going to take looking at new technologies for wind and for solar. But we cannot build enough solar panels nor enough windmills to supply this country with its energy needs.

We don't need to be doing away with our coal-fired plants because 85 percent of the power of this country, Mr. Speaker, comes from those coal-fired plants. We need to be looking at new exploration, new ways to increase the oil production of this country so that we might be more energy independent and not so dependent on the people around this world who are mainly and most of the time not our friends, Mr. Speaker.

So I hope you will take that message back—and I know you will—to the majority and hopefully we can bring forth some legislation that we can discuss and see if we can't get gas prices down for the American people.

Ms. BORDALLO. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I would just simply say to the gentleman that it is not only

the sharks in the sea who fear being de-finned, it is also the American people who are being fleeced at the pump by Big Oil. And further, Mr. Speaker, I would say to the gentleman that during this summer as many Americans flock to the beach, they have a greater chance of being bitten by Big Oil than by a shark.

Also, Mr. Speaker, our colleague from American Samoa (Mr. FALEOMAVAEGA) is attending to official business in his district today and is therefore unable to be here on the floor for this debate. I note, however, for the record his involvement in drafting and advancing this legislation in committee.

Mr. Speaker, I reserve the balance of my time.

Mr. WITTMAN of Virginia. Mr. Speaker, I have no additional speakers and yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 5741, recognizing the urgency for the U.S. to maintain its leadership role in conserving sharks and the marine ecosystems of which they are apart.

First and foremost, I want to commend the chief sponsor and good friend, Ms. BORDALLO of Guam, for her initiative in introducing this important legislation. I also want to commend Chairman RAHALL and other members of the Committee on Natural Resources for their strong support of this bipartisan legislation.

As a member of the Subcommittee on Fisheries, Wildlife, and Oceans, I want to personally commend my good friend, Chairwoman BORDALLO, for her tireless work on the many issues affecting our oceans. This legislation in particular is an example of the efforts by the subcommittee and the Congress in promoting and preserving our natural resources.

Mr. Speaker, the increased amount of shark finning in the recent decades has taken a devastating toll on our efforts in conserving sharks and the marine ecosystems in which they are apart. The removal of shark fins and dumping of the carcasses at sea is being fueled by the shark-fin trade, which in turn is being driven by the rapid economic growth in Asia. It is our responsibility to further the prohibition of shark finning in order to preserve the conservation of sharks and their corresponding ecosystems. We have already taken steps in alleviating this problem when Congress enacted the Shark Finning Prohibition of 2000, prohibiting U.S. fishermen from removing the fins of sharks and discarding the carcasses at sea, and from landing or transporting shark fins without the corresponding carcasses.

In April, Chairwoman BORDALLO introduced this legislation which includes specific measures that will strengthen the implementation and enforcement of the shark finning prohibition. The bill clarifies that all vessels, not just fishing vessels, are prohibited from having custody, control, or possession of shark fins without the corresponding carcass, thereby eliminating the unexpected loophole related to the transport of shark fins. This legislation removes the 5 percent "fin to carcass" ratio, by requiring that fishermen land all sharks with fins naturally attached which can later be easily removed after such inspection, making it easier for authorities to determine whether a given set of fins belonged to a particular dressed carcass.

Finally, this bill amends the High Seas Driftnet Moratorium Protection Act to allow the Secretary of Commerce to identify and list nations that have not adopted a regulatory program for the conservation of sharks similar to the U.S.

Mr. Speaker, it is necessary that we pass this legislation immediately given the damage that is constantly affecting our national marine ecosystems by the removal of sharks who have an integral part in sustaining life in these ecosystems.

I urge my colleagues to pass H.R. 5741. Again, I thank my colleagues for their support of this important bill.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 5741, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### PRESERVE AMERICA AND SAVE AMERICA'S TREASURES ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3981) to authorize the Preserve America Program and Save America's Treasures Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3981

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Preserve America and Save America's Treasures Act".

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—PRESERVE AMERICA PROGRAM

Sec. 101. Purpose.

Sec. 102. Definitions.

Sec. 103. Establishment.

Sec. 104. Designation of Preserve America Communities.

Sec. 105. Regulations.

Sec. 106. Authorization of appropriations.

#### TITLE II—SAVE AMERICA'S TREASURES PROGRAM

Sec. 201. Purpose.

Sec. 202. Definitions.

Sec. 203. Establishment.

Sec. 204. Regulations.

Sec. 205. Authorization of appropriations.

#### TITLE III—GENERAL PROVISIONS

Sec. 301. Prohibition on funding certain activities.

#### TITLE I—PRESERVE AMERICA PROGRAM

##### SEC. 101. PURPOSE.

The purpose of this title is to authorize the Preserve America Program, including—

(1) the Preserve America grant program within the Department of the Interior;

(2) the recognition programs administered by the Advisory Council on Historic Preservation; and